

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CHANDLER E. BROWN,)	
)	
Plaintiff,)	
vs.)	NO. CIV-12-1272-HE
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of the Social,)	
Security Administration,)	
)	
Defendant.)	

ORDER

Plaintiff Chandler E. Brown filed this action seeking judicial review of the final decision of the Commissioner of the Social Security Administration denying his application for supplemental security income benefits. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Gary M. Purcell, who recommends that the Commissioner's decision be affirmed.

Plaintiff filed his application for benefits in April 2009. When it was denied initially and on reconsideration, he requested a hearing before an Administrative Law Judge ("ALJ"). After a hearing, the ALJ found that plaintiff was not disabled before he became eighteen and since was capable of performing a full range of work with certain nonexertional limitations. The Appeals Council denied plaintiff's request for review, so the ALJ's decision became the final decision of the Commissioner.

Plaintiff has multiple objections to the Report and Recommendation. His principal argument is that the magistrate judge made post hoc arguments to support the ALJ's decision and improperly applied a harmless error analysis to deficiencies in the ALJ's statement of


his reasoning supporting certain determinations.

The magistrate judge recognized that the ALR's analysis was flawed in certain respects, but concluded that it sufficed, "'based on a reading of the ALJ's decision as a whole.'" Doc. #16, p. 6 (quoting Fischer-Ross v. Barnhart, 431 F.3d 729, 730 (10th Cir. 2005)). Having conducted a de novo review of plaintiff's objections, including a review of the record and medical evidence, the court agrees with the magistrate judge's analysis and conclusions.

Accordingly, the court adopts Magistrate Judge Purcell's Report and Recommendation. The Commissioner's decision is **AFFIRMED**

IT IS SO ORDERED.

Dated this 7th day of March, 2014.



JOE HEATON
UNITED STATES DISTRICT JUDGE